

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Michael Hari,
n/k/a Emily Claire Hari,

Case No. 20-cv-1455 (ECT/TNL)

Plaintiff,

ORDER

v.

Joel Smith, et al.,

Defendants.

This matter is before the Court, United States Magistrate Judge Tony N. Leung, on Plaintiff's Motion to Change Caption (ECF No. 178). On July 1, 2021, in the State of Minnesota, Tenth Judicial District, County of Sherburne, Court File No.: 17-cv-21-186, Plaintiff's name change petition was granted and her legal name was changed to Emily Claire Hari. She now requests a change in this case's caption. The Anoka County Defendants¹ and Federal Defendants² do not oppose this motion. (ECF Nos. 187, 188.) No further response has been filed. The Court finds good cause exists to change Plaintiff Hari's name in the caption of this case.

Hari also requests the Court order opposing counsel use female pronouns and her new name when filing subsequent papers in this case. (ECF No. 178 at 1-2.) There is a voluminous record in this case, which includes a time period when Hari identified as male

¹ The Anoka County Defendants are Sheila Larson, Jesse Rasmussen, and James Stuart.

² The Federal Defendants are Matthew Aken, Katherine Arden, Nathaniel D. Gena, Scott Hull, Thomas Huse, Brenda Kane, Nikki Carroll, Barbara Robbins, Joel Smith, and Ryan Westby.

and went by her previous name. The Court thus declines to issue a blanket order stating that in every instance Hari's new name and preferred pronouns must be used. The Court does, however, encourage the parties to use Hari's preferred name and pronouns where reasonable (and notes that in many instances opposing counsel has already made efforts to do so).

Therefore, based upon the record, memoranda, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion to Change Caption (ECF No. 178) is **GRANTED IN PART** and **DENIED IN PART** as outlined herein.
2. The name of Plaintiff in this matter, namely 20-cv-1455 (ECT/TNL), is hereby changed from "Michael Hari" to "Emily Claire Hari, f/k/a Michael Hari."
3. The Clerk of Court is directed to change Plaintiff's name to "Emily Claire Hari, f/k/a Michael Hari."
4. All prior consistent orders remain in full force and effect.
5. Failure to comply with any provision of this Order or any other prior consistent order shall subject the non-complying party, non-complying counsel and/or the party such counsel represents to any and all appropriate remedies, sanctions and the like, including without limitation: assessment of costs, fines and attorneys' fees and disbursements; waiver of rights to object; exclusion or limitation of witnesses, testimony, exhibits, and other evidence; summary denial of motions; striking of pleadings; complete or partial dismissal with prejudice; entry of whole or partial default judgment; and/or any other relief that this Court may from time to time deem appropriate.

Date: January 19, 2022

s/Tony N. Leung
 Tony N. Leung
 United States Magistrate Judge
 District of Minnesota

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